

NAFUSA Conference
Prepared Remarks of U.S. Attorney Preet Bharara
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Welcome to New York. It is a pleasure to be here and to follow Governor Christie, who is a fellow Bruce Springsteen fan. You know, given that I am the U.S. Attorney of what people call the Sovereign District of New York, it has been suggested that the only Boss I formally recognize is Springsteen.

But that is incorrect. . . There's also my wife.

As I look upon this group of former U.S. Attorneys, I can tell you that as a sitting United States Attorney, it is a delight to welcome you to my district, a privilege to be in your company, and an honor to follow in your footsteps. As I am sure it was for all of you, it has been the great honor of my life to serve for the past year as the United States Attorney. But I, and every U.S. Attorney who has ever served, owe an incalculable debt to those who preceded us. Whether or not you ever formed, or gathered as, a formal association like this, your legacy would always loom large.

For my own part, and in my own District, there is not a day that I don't remember the giant footsteps I follow in. Those who have served in the Southern District include lawyers who have gone on to become Mayor of New York, Governor of New York, Secretary of War, Secretary of Homeland Security, Attorney General, and Supreme Court Justice. Their names include Root, Dewey, Morgenthau, Harlan, and Frankfurter. And so every day I am reminded that to follow in those footsteps, to inherit that history, to inhabit this position, is to be both humbled and inspired every day – humbled to be in the company of giants on whose shoulders I stand, and inspired by their example to serve justice and only justice in all that I do. And, you know, lest I ever forget the former U.S. Attorney legacy, in the hallway on the approach to my office is a wall of photographs of each of my predecessors – all the former U.S. Attorneys, going back a century. So I see their faces every single day. There are days when I think Giuliani is looking at me a little funny, but I'm sure that's just my imagination.

And as much as I am reminded by that wall of photos of the massive shoes I have to fill, I am also mindful of the special privilege it is to represent the United States of America as someone who was not even born in the United States. Of course, that is a fact which says much more about America than it does about me.

Now, the U.S. Attorney's Offices around the country are special for a lot of reasons. The people in those offices are in many ways the lifeblood of the Department of Justice. For one thing, they constitute, by far, the largest litigating component within the Department. But much more than that, it is they who fight every day on the front lines of the unending struggle for justice, which that institution stands for.

It is they who, every day, and in every community large and small around the country, who keep our homeland secure, our markets fair, our government honest, and our streets safe. And it is

they who are everywhere the local expression of the principles and ideals that are, and should always be, at the core of the Department's mission.

One of those core values for the Department generally, and for the US Attorney's offices specifically, is of course, independence. It is a value that I know this group cares about deeply. It is the principle that politics and prosecution do not mix. It is the principle that a prosecutor's only allegiance is to the truth and that his only duty is to justice. It is the principle that the only agenda any public prosecutor can have is a commitment to the wise and just exercise of discretion and judgment.

And so in that vein, and before I sit down, there are two specific groups of former U.S. Attorneys that I especially want to single out and salute by name in front of this assembly because of what they taught me – and countless others – about the priceless value of uncompromising independence in the mission of justice. And about what can happen when we do damage to that principle.

First, two U.S. Attorneys under whom I served: One is Mary Jo White, who hired me, and who taught generations of Assistants – including this one – that public service as a prosecutor means a fierce and fearless dedication to independence. For that unwavering commitment she has over time earned the occasional detractor, but she has gained countless more admirers. I am in the latter category, and I am mindful of her example every day I am in office.

I also want to acknowledge Jim Comey, under whom I also served as an Assistant U.S. Attorney. In that same proud tradition of independence – no doubt internalized in the tough trenches of two U.S. Attorney's offices – Jim Comey showed, as Deputy Attorney General, the courage and character to stand firm on what he believed the rule of law required – even though it was a time of war, and even though it meant disagreeing with the very President who had twice appointed him. So, I thank Mary Jo and Jim for that.

The second set of former U.S. Attorneys I want to single out are special in many ways. I did not know of them until the spring of 2007, when they became known for being fired and became earlier members of this Association than perhaps they expected. At the time I was just a staffer on the U.S. Senate Judiciary Committee, with no idea I would soon be helping to lead a bipartisan investigation of the Department I had once served, which I would serve again one day, and which was and is the institution I love and respect more deeply than any other in America. What happened to those U.S. Attorneys would serve simultaneously as an inspiration and a cautionary tale about what happens when independence is devalued or comes under fire.

I personally invited six of them to come testify before the Committee. Four came. All six did testified in the House of Representatives. And I will never forget that day. On that day, they each demonstrated to the nation their grace and dignity and eloquence. And on that day their testimony ushered in an unfortunate, but necessary, inward look for the Department.

I want to salute those former U.S. Attorneys this morning. As you know, they are: Dan Bogden, Paul Charlton, Bud Cummins, David Iglesias, Carol Lam, and John McKay.

Since becoming the U.S. Attorney here, I have not had occasion to speak publicly about that time, but I will say today that the experience and lesson of those days is never far from my mind. And it has made me a better U.S. Attorney. In my view, independence is as indispensable to the fair administration of justice as a law degree, a badge, or a statute book. Perhaps more so.

Independence, properly understood, is neither defiance nor insubordination. It is merely the wise and just exercise of judgment and discretion – done without fear or favor, as the oath has always required.

When independence is under fire, justice is at risk.

I want to thank all of you in this room for continuing to hold that principle close to your hearts and minds. And so, again, welcome to New York. Thank you for your past service, for your current support, and for your future contributions to the law and public life.